

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE: MERRILL LYNCH & CO., INC.,
AUCTION RATE SECURITIES (ARS)
MARKETING LITIGATION

_____)	
This Document Relates To:)	
)	1:09-md-02030-LAP
UNITED STATES DISTRICT COURT)	ECF CASE
SOUTHERN DISTRICT OF NEW YORK)	
No. 1:09-cv-09887-LAP)	
)	
LOUISIANA PACIFIC CORPORATION,)	
)	STATEMENT OF DAMAGES
Plaintiff,)	
)	
v.)	
)	
MONEY MARKET 1 INSTITUTIONAL)	
INVESTMENT DEALER; MERRILL LYNCH)	
& CO., INC.; MERRILL LYNCH, PIERCE,)	
FENNER & SMITH INCORPORATED; AND)	
DEUTSCHE BANK SECURITIES INC.,)	
)	
Defendants.)	
_____)	

Louisiana Pacific Corporation ("LP") respectfully submits this Statement of Damages.

Upon entry of default judgment on LP's breach of fiduciary duty claim against Defendant Money Market 1 Institutional Investment Dealer ("MM1"), LP is entitled to an out of pocket damages award of \$ 37,742,192.

As a direct and proximate result of MM1's breach of fiduciary duty, LP purchased a total of \$55.575 million in unsuitable securities underwritten by Merrill Lynch, Pierce, Fenner & Smith Incorporated ("Merrill Lynch"):

Security	Date of Purchase	Amount Held By LP
Alesco I	7/16/2007	\$20,000,000
Alesco II	7/30/2007	\$10,000,000
Lakeside CDO I	5/8/2007 & 6/8/2007	\$14,675,000
Lakeside CDO II	4/4/2007	\$5,000,000
Cascade Funding CDO I	2/5/2007	\$3,700,000
South Coast Funding V	6/20/2007	\$2,200,000

In July and September 2011, LP sold its holdings of the Alesco Series I and II and South Coast Funding V Series A-2, which it had purchased for a total of \$32.2 million, for \$15.001 million. LP continues to hold the Lakeside CDO I and II and Cascade Funding CDO I securities, which it had purchased for a total \$23.375 million, but which are now valued at only \$1.034 million. LP has received a total of \$5.904 million in interest payments up through September 4, 2012, on the Merrill Lynch-underwritten securities.

During the time period that it held the Merrill Lynch-underwritten securities, the Lipper Institutional Money Market Index – a standard benchmark index for money market investments – earned an average of 1.57% interest annually. Accordingly, had LP invested its \$55.575 million in suitable investments – rather than the Merrill Lynch-underwritten securities, it would have earned \$4,106,675 in interest during the relevant time period.

The calculation of out of pocket damages is set forth in detail in the spreadsheet attached as Exhibit 1 and summarized below:

Purchase price of unsuitable Merrill Lynch securities:	\$ 55,575,000
Amount LP would have earned from suitable investments:	\$ 4,106,675
Value of securities currently held by LP:	\$ (1,034,120)
Cash received from LP's sale of securities:	\$ (15,001,000)
Interest payments received by LP:	\$ (5,904,363)
Total:	\$ 37,742,192

Dated: September 7, 2012

Respectfully submitted,

/s/ Andrew C. Shen

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